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 15 VERIGY US, INC.
 16

PUBLIC VERSION

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION

13 VERIGY US, INC, a Delaware Corporation
 14 Plaintiff,
 15 vs.
 16 ROMI OMAR MAYDER, an individual;
 17 WESLEY MAYDER, an individual; SILICON
 18 TEST SYSTEMS, INC., a California Corporation;
 19 and SILICON TEST SOLUTIONS, LLC, a
 20 California Limited Liability Corporation,
 21 inclusive,
 22 Defendants.

23 Case No. C07 04330 RMW (HRL)
 24
DECLARATION OF DONALD P.
GAGLIARDI IN OPPOSITION TO WES
MAYDER'S MOTION FOR SUMMARY
JUDGMENT

25 Date: August 8, 2008
 26 Time: 9:00 am
 27 Ctrm.: 6
 28 Judge: Hon. Ronald M. Whyte

Complaint Filed: August 22, 2007
 Trial Date: December 15, 2008

29
 30 AND RELATED CROSS ACTIONS
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DOCUMENT SUBMITTED UNDER SEAL

35
HIGHLY CONFIDENTIAL-ATTORNEYS' EYES ONLY

1 I, Donald P. Gagliardi, declare as follows:

2 1. I am an attorney licensed to practice law before all of the courts of the State of
3 California. I am a Partner with the law firm of Bergeson, LLP, counsel of record for Plaintiff,
4 Verigy US, Inc. ("Verigy") in the above-captioned action. I have personal knowledge of the facts
5 set forth in this declaration, and, if called to do so, I could and would competently testify thereto.

6 2. On or about the afternoon of July 9, 2008, I deposed defendant Wesley Mayder in
7 the above-captioned action. Attached hereto and incorporated herein by reference as Exhibit A are
8 true and correct copies of pertinent portions of the deposition testimony of Wesley Mayder,
9 including exhibits thereto.

10 3. On or about the morning of July 9, 2008, I attended the deposition of John
11 Davidson, taken by my partner John W. Fowler, in the above captioned action. Attached hereto
12 and incorporated herein by reference as Exhibit B are true and correct copies of pertinent portions
13 of the deposition testimony of Jon Davidson, including exhibits thereto.

14 4. Attached hereto as Exhibit C is a true and correct copy of the application for a
15 seller's permit, form BOE 400 SPA, downloaded by personnel in my office on July 16, 2008 from
16 the California Board of Equalization's website at <http://www.boe.ca.gov/pdf/boe400spa.pdf>.

17 I declare under penalty of perjury under the laws of the United States of America that the
18 foregoing is true and correct and that this declaration was executed this 17th day of July, 2008 at
19 San Jose, California.

20
21 _____ /s/
22 Donald P. Gagliardi
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